

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re	:	Chapter 11
LTL MANAGEMENT LLC, ¹	:	Case No. 21-30589 (JCW)
Debtor.	:	
LTL MANAGEMENT LLC,	:	
Plaintiff,	:	
v.	:	Adv. Pro. No. 21-03032 (JCW)
THOSE PARTIES LISTED ON	:	
APPENDIX A TO COMPLAINT and	:	
JOHN AND JANE DOES 1-1000,	:	
Defendants.	:	

**NOTICE OF FILING OF DEBTOR'S IDENTIFICATION OF
WITNESSES AND EXHIBITS**

PLEASE TAKE NOTICE that LTL Management LLC, the debtor in the above-captioned case and the plaintiff in the above-captioned adversary proceeding (the "Debtor"), has filed the following Debtor's Identification of Witnesses and Exhibits, attached hereto as Exhibit A, in support of the *Debtor's Motion for an Order (I) Declaring That the Automatic Stay Applies to Certain Actions Against Non-Debtors or (II) Preliminarily Enjoining Such Actions and (III) Granting a Temporary Restraining Order Pending a Final Hearing* [Adv. Pro. Dkt. 2].

¹ The last four digits of the Debtor's taxpayer identification number are 6622. The Debtor's address is 501 George Street, New Brunswick, New Jersey 08933.

Dated: November 3, 2021
Charlotte, North Carolina

Respectfully submitted,

/s/ John R. Miller, Jr.

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PROPOSED ATTORNEYS FOR DEBTOR

EXHIBIT A

Debtor's Identification of Witnesses and Exhibits

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
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In re	:	Chapter 11
LTL MANAGEMENT LLC, ¹	:	Case No. 21-30589 (JCW)
Debtor.	:	
LTL MANAGEMENT LLC,	:	
Plaintiff,	:	
v.	:	Adv. Pro. No. 21-03032 (JCW)
THOSE PARTIES LISTED ON	:	
APPENDIX A TO COMPLAINT	:	
and JOHN AND JANE DOES 1-1000,	:	
Defendants.	:	

DEBTOR'S IDENTIFICATION OF WITNESSES AND EXHIBITS

LTL Management LLC, the above-captioned debtor and the plaintiff in this action (“LTL” or the “Debtor”), identifies below the witnesses it intends to present via declaration or live testimony and the exhibits it intends to proffer, all in its case in chief, at the hearing on the Debtor’s Motion for an Order (I) Declaring That the Automatic Stay Applies to Certain Actions Against Non-Debtors or (II) Preliminarily Enjoining Such Actions and (III) Granting a Temporary Restraining Order Pending a Final Hearing, which is scheduled to commence on November 4 and 5, 2021.

¹ The last four digits of the Debtor’s taxpayer identification number are 6622. The Debtor’s address is 501 George Street, New Brunswick, New Jersey 08933.

The Debtor intends to present these witnesses via declaration or live testimony, all of which Debtor identified in its earlier served witness list:

- John K. Kim, Chief Legal Officer of LTL (Live);
- Susan Schirger-Ward, Senior Legal Records Coordinator for J&J (Declaration);
- Adam Lisman, Vice President and Assistant Corporate Controller for J&J (Declaration);
- Edwin Kuffner, M.D., Chief Medical Officer for Old JJCI (Live); and
- Charles Mullin, Ph.D. of Bates White (Live).

Although the Debtor currently intends to elicit direct testimony in its case in chief from these witnesses, this identification is not itself a proffer of that testimony. The Debtor also reserves the right to call rebuttal witnesses as necessary and appropriate.

The Debtor intends to proffer in its case in chief these exhibits²:

Ex.	Description	Beg. Bates No.
1.	2021 Corporate Restructuring documents, closing binder and all documents therein	LTL 0001058-LTL 0003086
2.	Agreement for Transfer of Assets and Bill of Sale, dated January 1, 1979, between Johnson & Johnson and Johnson & Johnson Baby Products Company	LTL 000557
3.	Agreement for Transfer of Assets and Bill of Sale, dated January 1, 1979, between Johnson & Johnson and Johnson & Johnson Baby Products Company	LTL 000565
4.	Funding Agreement between Johnson & Johnson, Johnson & Johnson Consumer Inc., and LTL Management LLC, dated October 12, 2021	LTL 0002300
5.	Merger Support Agreement Johnson & Johnson Consumer Inc., and LTL Management LLC, dated October 12, 2021	LTL 0002321
6.	December 12, 1978 Board of Directors Meeting Minutes	LTL 0000021
7.	LTL Management LLC's Minutes of Board of Managers and Resolutions, dated October 14, 2021	LTL 0019184
8.	FRE 1006 Insurance Coverage Evidence Summary	LTL 0023515

² The Debtor's listing of an exhibit does not waive the Debtor's confidentiality designation for any exhibit previously so marked.

Ex.	Description	Beg. Bates No.
9.	Johnson & Johnson Insurance Coverage Chart	LTl 0003087
10.	Insurance Agreement: Aetna #38 AL 12880 SR(Y)_1-1-1967 to 1-1-1970	LTl 0000168
11.	Insurance Agreement: Aetna 38 XN 07 SCA	LTl 0000317
12.	Insurance Agreement: Home HEC 4764031	LTl 0000387
13.	Insurance Agreement: North River JU 0802	LTl 0000410
14.	Insurance Agreement: Aetna Primary 38 PK 15 SCA	LTl 0000511
15.	1989 Agreement with Safeway for indemnification	LTl 0019160
16.	2020 Agreement with HEB for indemnification	LTl 0022538
17.	FRE 1006 Tender Agreement Evidence Summary	LTl 0023527
18.	Tender Agreement wherein Johnson & Johnson Consumer Inc. agrees to tender defense and indemnify Safeway for claims by Abbott, Richard, dated May 13, 2019	LTl 0012853
19.	Tender Agreement wherein Johnson & Johnson Consumer Inc. agrees to tender defense and indemnify Albertson for claims by Lane, Ardys, dated October 8, 2018	LTl 0013141
20.	MDL Second Amended Master Complaint, MDL NO. 16-2738 (D.N.J. Dec. 22, 2020)	LTl 0012521
21.	<i>Cadagin, et al v. Johnson & Johnson, et al.</i> , No. 18-L-572 In the Circuit Court of the Twentieth Judicial Circuit St. Clair County, Illinois, <ul style="list-style-type: none"> Jul. 28, 2021 Trial Transcript Verdict form 	LTl 0018560 LTl 0018713
22.	<i>Anderson et al. v. Borg Warner Corp. et al.</i> , No. BC666513, in the Superior Court for the State of California, County of Los Angeles (Jun. 27, 2017)	LTl 0017642
23.	<i>Barden v. Johnson & Johnson, et al.</i> , MID-L-1809-17AS, Superior Court of New Jersey, Middlesex County <ul style="list-style-type: none"> Feb. 6, 2021 Trial Transcript 	LTl 0017692
24.	<i>Prudencio v. Johnson & Johnson</i> , No. RG20061303, in the Superior Court of California, Alameda County <ul style="list-style-type: none"> Aug. 13, 2021 Trial Transcript 	LTl 0017980
25.	<i>Vanklive v. Johnson & Johnson</i> , No. RC20062734, Superior Court of California, County of Alameda <ul style="list-style-type: none"> Oct. 22, 2021 Trial Transcript Oct. 26, 2021 Trial Transcript 	LTl 0018460 LTl 0018473

Ex.	Description	Beg. Bates No.
26.	<i>McBride et al. v American International Industries, Inc., et al.</i> , No. 49D13-2110-MI-034781, Marion County Superior Court for the State of Indiana (Oct. 15, 2021)	LTL 0018439
27.	<i>McBrayer, et al. v. Acme et al.</i> , No. 2020-CP10-03946, County of Charleston for the State of South Carolina • October 28, 2021 Trial Transcript	LTL 0021919
28.	Transcript of July 30, 2019 proceeding in <i>Hayes v. Colgate Palmolive Co.</i> , Case No. 16-CI-03503 (Ky. Cir. Ct. Jefferson Jul. 30, 2019), Testimony of Dr. John Hopkins	LTL 0022023
29.	Settlement Facility Agreement by and among Johnson & Johnson, Johnson & Johnson Consumer Inc., LTL Management LLC, and U.S. Bank National Association, as the Trustee, Funding Agreement Documents	Dkt. 8 – 1, Ex. A
30.	Reliance materials of expert Charles H. Mullin PhD	LTL 0021298- LTL 0021762
31.	Expert report of Charles H. Mullin PhD	
32.	List of Protected Parties	Adv. Pro. Dkt. 1 -1, Appendix B; Adv. Pro. Dkt. 2-1, Appendix B
33.	Agreement between Cyprus Mines Corporation and Johnson & Johnson, dated Jan. 6, 1989	LTL 0023277
34.	Plan and Agreement of Reorganization between Eastern Magnesia Talc Co., Inc., and Johnson & Johnson, dated July 30, 1965.	LTL 0023255
35.	Acquisition of the assets and Liabilities of Eastern Magnesia Talc Co., Inc. by a Wholly-Owned Subsidiary of Johnson & Johnson, dated July 30, 1965	LTL 0023253
36.	Asset Purchase Agreement between Johnson & Johnson Consumer Companies, Inc. and Pharma Teach Industries, Inc., dated Apr. 4, 2005 – Confidential	LTL 0000610
37.	Manufacturing and Supply Agreement between Johnson & Johnson Consumer Companies, Inc. and Pharma Teach Industries, Inc., dated Aug. 29, 2005 – Confidential	LTL 0000736
38.	2008 Amendment to Manufacturing and Supply Agreement between Johnson & Johnson Consumer Companies, Inc. and Pharma Teach Industries, Inc., dated Aug. 29, 2005 – Confidential	LTL 0000811
39.	2013 Amendment to Manufacturing and Supply Agreement between Johnson & Johnson Consumer Companies, Inc. and PTI Royston, LLC, dated Aug. 29, 2005 – Confidential	LTL 0000817

Ex.	Description	Beg. Bates No.
40.	2017 Amended and Restated Supply Agreement between Johnson & Johnson Consumer Companies, Inc. and PTI Royston, LLC, dated Aug. 29, 2005 – Confidential	LTL 0000842
41.	Indemnification agreement between Bausch Health Companies (f/k/a Valeant Pharmaceuticals International, Inc.) and Johnson & Johnson Consumer, Inc., dated Sept. 9, 2012	LTL 0001050
42.	2020 Johnson & Johnson Annual Report	LTL 0017485
43.	Johnson & Johnson Medical Safety Counsel Charter, dated April 19, 2013	LTL 0021817
44.	Johnson & Johnson Medical Safety Counsel Charter, dated April 10, 2014	LTL 0021827
45.	Johnson & Johnson Medical Safety Counsel Charter, dated July 27, 2015	LTL 0021838
46.	Consumer Medical Safety Counsel Operational Charter, dated June 26, 2017	LTL 0021848
47.	Consumer Medical Safety Counsel Operational Charter, dated June 28, 2018	LTL 0021859
48.	Consumer Medical Safety Counsel Operational Charter, dated March 6, 2019	LTL 0021870
49.	Declaration of Susan Schirger-Ward	N/A
50.	Declaration of Adam Lisman	N/A
51.	Letter from A.J. Huetteman to A. Marinaro, dated October 31, 1977	LTL 0012488
52.	Johnson & Johnson Baby Products Company Action Authorized by Unanimous Consent of Shareholder, dated July 21, 1981, attaching Agreement for Transfer of Assets and Bill of Sale, dated July 27, 1981, between Johnson & Johnson Baby Products Company and Omni Education Corporation	LTL 0012489
53.	Certificate of Merger of Personal Products Company into Johnson & Johnson Baby Products Company, dated July 27, 1981	LTL 0012497
54.	Agreement for Transfer of Assets and Bill of Sale, dated January 3, 1988, between Johnson & Johnson Baby Products Company (renamed Johnson & Johnson Orthopaedics) and Johnson & Johnson Dental Products (renamed Johnson & Johnson Consumer Products, Inc.)	LTL 0012508
55.	Johnson & Johnson Consumer Companies, Inc. Certificate of Incorporation, dated July, 1, 1997	LTL 0012513
56.	Incorporation of Personal Products, dated October 9, 1970	LTL 0019433
57.	Certificate of Merger between McNeil Consumer Products Company and Personal Products Company, dated November 28, 1988	LTL 0019498

Ex.	Description	Beg. Bates No.
58.	Certificate of Merger, dated June 25, 2015, between Neutrogena, LLC, Johnson & Johnson Consumer Companies LLC, Johnson & Johnson Sales and Logistics Company, LLC, and McNEIL-PPC, Inc.	LTL 0019427
59.	Certificate of Merger between Johnson & Johnson Consumer Companies, LLC and Johnson & Johnson Consumer Companies, Inc., dated June 25, 2015	LTL 0012706
60.	Asset Purchase Agreement among Johnson & Johnson Consumer Companies, Inc. and Valeant Pharmaceuticals International, Inc., dated September 9, 2012	LTL 0000954
61.	Agreement and Plan of Merger dated, dated June 25, 2015, between Neutrogena, LLC, Johnson & Johnson Consumer Companies LLC, Johnson & Johnson Sales and Logistics Company, LLC, and McNEIL-PPC, Inc.	LTL 0012710
62.	Johnson & Johnson Consumer Inc. Talc 2021 Accounting Entry Sample – Confidential	LTL 0019833
63.	Talc 2007-2021 Other Income & Expense Details – Confidential	LTL 0019178
64.	Johnson & Johnson Worldwide Financial Procedures, 330Ba - Legal Fees, last revised March 2005	LTL 0021763
65.	Johnson & Johnson 10-K, dated January 2, 1977	LTL 0023352
66.	Johnson & Johnson 10-K, dated December 30, 1979	LTL 0023395
67.	1986 Johnson & Johnson Annual Report	LTL 0023445
68.	Johnson & Johnson 10-K, dated January 1, 1978	LTL 0019191
69.	Johnson & Johnson 10-K, dated December 31, 1978	LTL 0019235
70.	Excerpt from 1985 Annual Report	LTL 0019296
71.	Excerpt from 1986 Annual Report	LTL 0019297
72.	Excerpt from 1989 Annual Report	LTL 0019298
73.	Agreement between Johnson & Johnson Consumer Companies, Inc. and PTI Royston, LCC regarding Talc Sanitization Project, dated March 15, 2011	LTL 0019380
74.	Asset Purchase Agreement between Johnson & Johnson Consumer Companies, Inc. and Valeant Pharmaceuticals International, Inc., dated Sept. 9, 2012	LTL 0019502
75.	Disclosure Schedule to Asset Purchase Agreement between Johnson & Johnson Consumer Companies, Inc. and Valeant Pharmaceuticals International, Inc., dated Sept. 9, 2012	LTL 0019598
76.	Executive Committee Actions, Dated July 18 to September 11, 1986	LTL 0019687
77.	Figure 1 from the Expert Report of Dr. Charles Mullin of October 29, 2021	
78.	Figure 2 from the Expert Report of Dr. Charles Mullin of October 29, 2021	

Ex.	Description	Beg. Bates No.
79.	Figure 3 from the Expert Report of Dr. Charles Mullin of October 29, 2021	
80.	Trial outcome chart	LTL 0023514
81.	Johnson & Johnson Medical Safety Standard	LTL 0023609

Although the Debtor currently intends to proffer these exhibits in its case in chief, this identification is not itself a proffer. The Debtor reserves the right to identify and admit these or additional exhibits in rebuttal as necessary and appropriate. The Debtor reserves the right to use or admit exhibits identified by any other Party. The Debtor also may use demonstratives during its hearing presentation.

Dated: November 3, 2021
Charlotte, North Carolina

Respectfully submitted,

/s/ John R. Miller, Jr.

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PROPOSED ATTORNEYS FOR DEBTOR

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on November 3, 2021, I served the foregoing document via email on counsel of record.

/s/ Mark W. Rasmussen